

# **Request for Proposals (RFP) for a Cooperative Agreement for the Continued Operation of the Construction Industry Compliance Assistance Center**

## **I. Summary**

The Environmental Protection Agency (EPA) has funded the development and operation of compliance assistance centers (centers) to help small and medium size businesses and local governments better understand and comply with environmental regulations. EPA seeks a partner for continued operation and maintenance of the compliance assistance center for the construction industry, currently operating as Construction Industry Compliance Assistance Center (CICA). Proposals meeting the criteria discussed below must be delivered to EPA by 5:00 p.m. July 3, 2003.

## **II. Background**

Under the Grants Competition Policy that went into effect October 1, 2002, EPA now competes any assistance agreement or grant that will provide the recipient more than \$75,000 in a year.

The CICA is intended as a “first-stop shop” that provides environmental management, planning, and regulatory information useful to construction industry personnel. The center’s environmental compliance information, tools, and services must be easy to read, easy to use, and tailored specifically to the environmental aspects of construction company operations (i.e., stormwater control, proper hazardous and solid waste disposal, control of air emissions, proper vehicle and machinery fueling and maintenance, etc.).

To achieve this goal, the recipient must:

- Create Internet linkages and partnerships among the various construction industry groups/associations, EPA and other federal regulatory agencies, other relevant organizations, and the compliance assistance provider communities.
- Develop content (including, regulatory and pollution prevention information) that will address the needs of the construction industry.

EPA helped establish CICA and other compliance assistance centers by sponsoring partnerships with industry, academics, stakeholder organizations, environmental groups, and other Agencies. The centers provide comprehensive, easy to understand, sector-specific compliance information, tools, and services. In an effort to reduce the technological overhead cost associated with creating new Centers, EPA awarded a grant in July, 2001 to the National Center for Manufacturing Sciences (NCMS) to create a Centers Platform, that would serve as a foundation for establishing new centers. Following discussions with construction industry representatives, NCMS and the industry partners including the National Association Of Homebuilders, the Associated General Contractors of

America (AGC), the Association Of Road and Transportation Builders (ARTBA), the Golf Course Builders Association of America and the Associated Builders and Contractors Inc (ABC) initiated the center development. NCMS, the CICA partners, the Environmental Protection Agency and various local government stakeholders identified, developed, and posted content that meets the environmental compliance needs of the construction industry. The web-site makes it easier for construction industry personnel to learn about, understand, and comply with the environmental requirements that apply to their operations and projects.

In accordance with EPA policy encouraging competition for assistance agreements, the Agency now seeks proposals from qualified applicants who can partner with the EPA, various construction industry support organizations, and other interested parties and who have the capability both to support the continued development, operation and maintenance of the Construction Industry Compliance Assistance Center and to provide outreach and training efforts to construction companies.

In general, the centers provide comprehensive, easy to understand sector-specific compliance information. The centers offer a variety of services, including web-sites, e-mail groups, fax-back systems, and telephone assistance, depending on the needs of the sector they are designed for. All the centers help businesses, tribes, local governments, and federal agencies identify specific regulations that apply to their activities, improve compliance with environmental regulations, and learn about pollution prevention approaches that can save money and resources. All centers can be accessed at [www.assistancecenters.net](http://www.assistancecenters.net).

EPA reviewed the responses to its Request for Initial Proposals, and determined that certain initial proposals met the eligibility criteria. EPA now seeks, by July 3, 2003, proposals from those eligible applicants for continued operation and maintenance of the Construction Industry Compliance Assistance center. EPA anticipates making approximately \$125,000 available over a five-year period for this purpose. EPA will partially fund each budget period and will consider funding the balance of budget requests contingent upon satisfactory progress as certified by the EPA Project Officer, the availability of funds, and EPA priorities.

### **III. Authority**

EPA will, as its annual appropriation allows, award financial assistance to the successful applicant in the form of a cooperative agreement. As authorized by 31 U.S.C. §6305, EPA will be substantially involved in carrying out this project. Anticipated substantial involvement will include collaboration in carrying out the scope of work, technical assistance, approval of the substantive terms of contracts and subawards made with EPA funds, change of key personnel, and approval of project phases prior to continuation of the project.

The Agreement will be funded on a “multimedia” basis under Section 103 of the Clean Air Act, 42 U.S.C. §7403, Section 104 of the Clean Water Act, 33 U.S.C. §1254, and Section 8001 of

the Solid Waste Disposal Act, 42 U.S.C. §6981. Applicants are encouraged to review these statutes and ensure that all of the activities contained in their proposals are consistent with the scope of EPA's authority.

Funding for Compliance Assistance Centers is awarded under Catalog of Federal Domestic Assistance Number 66.305, Compliance Assistance- Support for Services to the Regulated Community and Other Assistance Providers.

#### **IV. Applicant Eligibility**

Only those applicants that have been invited to participate following the Request for Initial Proposals are eligible.

#### **V. Overview of the Construction Industry Compliance Assistance Center**

Once fully operational, CICA will provide information, tools, and services that facilitate environmental compliance, pollution prevention and environmental management systems. CICA will also provide many features that may include: regulatory updates, expert answers to environmental questions, a fax-back service, compliance advisors/ expert system, a consultants' directory, interactive forum, calendar of events, webcast seminars and links to other services and sources of environmental information. Working with its partners and EPA, CICA acquires the most up-to-date environmental information and makes that information available to subscribers in regular updates. Environmental compliance information is made available in its original form and in plain-language versions. CICA invites comments and feedback from users to continually improve the content and usability of the web-site.

CICA development was possible in part through the financial resources of the U.S. Environmental Protection Agency. These resources are allowing NCMS and its partners to bring environmental compliance information to the construction industry and the public through a web-site, fact sheets, news updates and other documents on the web-site.

The construction industry compliance assistance center is intended as a "first-stop shop" that provides environmental management, planning, and regulatory information useful to construction industry personnel, elected and appointed officials, managers and staff. The center's environmental compliance information, tools, and services should be easy to read, easy to use, and tailored specifically to the environmental aspects of construction operations and projects.

CICA currently uses Cold Fusion. It has a minimum amount of broad band demand to promote quick loading. It has been tested for use on IE as well as Netscape. (Note that this data is provided for informational purposes only. Applicants can propose alternative approaches to carrying out the center. And the EPA can provide copies of the content to the recipient.)

## VI. Project Proposal

All applicants must submit a proposal that identifies their ability to manage the Compliance Industry Compliance Assistance center. Project proposals must, at a minimum, include the following items: Executive Summary, Project Activities, the Center Management Plan, Clients Needs, and Available Technologies as outlined below. EPA will negotiate a detailed scope of work with the successful applicant. The successful applicant will be asked to submit a Standard Form 424, Application for Federal Assistance following negotiation of the work plan (See [www.whitehouse.gov/OMB/grants/SF424.pdf](http://www.whitehouse.gov/OMB/grants/SF424.pdf)) Please note that the final application will be subject to the Executive Order 12372 Intergovernmental Review Process. (See [www.cfda.gov/public/EO12372.htm](http://www.cfda.gov/public/EO12372.htm)) Applicants must clearly mark information they consider Confidential Business Information (CBI). EPA will make final confidentiality decisions in accordance with Agency regulations at 40 CFR Part 2, Subpart B. The applicant should consider the following project proposal format:

Executive Summary: A summary of the planned project.

Project Activities: The proposal should include a description of the following planned activities including milestones. Describe the approach(es) to:

- Maintain and supplement content currently available at [www.cica.org](http://www.cica.org).
- Complete expert system/compliance advisor for regulations that apply to the construction industry
- Identify compliance assistance needs and close gaps in environmental compliance assistance materials and services currently provided to the construction industry.
- Maintain, develop, and enhance working relationship(s) with experts and national organizations devoted to the proper full compliance with environmental regulations at construction sites.
- Conduct outreach to the construction industry and promote use of the center.
- Explore and implement revenue generating activities to reduce the CICA center's reliance on federal funding;
- Correct, as necessary, content on the web-site that needs to be updated.
- Maintain communications with construction industry stakeholders such as the professional associations for government managers, lawyers, engineers, architects, developers, financial professionals and building code inspectors.

Management Plan: A thorough discussion of how the grant will be managed, including:

- Internal Management Plan: Describe how the applicant will ensure the day to day success of the project. This description should include the proposed organizational structure, supervisory responsibilities, and a proposed staffing plan.
- External Management Plan: Project proposals must describe how the cooperative agreement recipient will solicit / maintain partners to support the construction industry compliance

assistance center. Illustrate organizational structure between the primary project partners and supporting entities. Please note that all contracts for the purchase of goods and services must comply with the competitive procurement requirements of 40 CFR Part 30.

- Marketing and Outreach: A description of a marketing and outreach activity plan to promote the services provided by CICA.
- Financial Plan: A financial plan for the project that identifies all sources of funds. Although EPA does not require matching funds, the grant recipient is encouraged to provide information regarding resources (cash/in-kind services) that they would commit to manage center. The financial plan should break out planned expenditures by both activity (e.g., maintenance of the web site) and object class (e.g., personnel, travel).

Factors that EPA will evaluate in the financial plan include:

- ~ Ability to partner with other organizations to secure funding or in-kind services to reduce reliance on Federal funding.
- ~ Ability to maintain management control and track costs of the project and maintain required records on funding.

Past Experience and Qualifications of Key Personnel: Project proposals must:

- Describe the applicant's experience in developing and maintaining web based environmental compliance assistance services, or similar projects, and its experience in working with compliance issues related to the construction industry .
- Provide information on its experience in managing Federal financial assistance, including the results of audits or monitoring by the awarding agency.
- Include a description of the qualifications and experience of key personnel and their responsibilities. A detailed description of how the qualification and/or experience of each key personnel match with his/her responsibilities is important.

Clients Needs: Understanding the environmental needs of the construction industry is critical to the continued success and sustainability of CICA center. Project proposals should address the following areas. How will:

- The applicant ensure the web site continues to be useful to the targeted user group(s)?
- The experiences of the key personnel enhance the center's operation?
- The applicant identify the environmental compliance needs of the construction industry?

Center Technologies/Configuration: The ability to readily seamlessly adopt and maintain the existing center site and associated software is critical. Project proposals should address how:

- The recipient will ensure seamless operation of CICA capabilities.
- The recipient will assure that operation and technologies meet the needs of the users as identified by contact with local government and government association representatives.

Collaboration with Other Compliance Assistance Providers: The proposal must explain how CICA will interact and collaborate with other compliance assistance providers, government agencies, and organizations. Specifically, the proposal should address the following:

- How the applicant will collaborate with other compliance assistance providers to leverage limited resources.
- Methods that the applicant will use to promote the use of the CICA center among other compliance assistance providers.
- How the applicant will evaluate and demonstrate the success of the construction industry compliance assistance center yearly, including output measurements and, if possible, measurements of risk reduction or compliance improvements for companies that use the center.

## **VII. Pre-application Assistance**

Eligible and interested applicants may contact Joseph Hall (202/564-2271) with questions regarding eligibility and threshold criteria. EPA will post answers to significant or frequently asked questions on a web-site at <http://www.epa.gov/compliance/assistance/centers/index.html>. Applicants are encouraged to review these questions and answers prior to submitting initial proposals. Please note, the Agency cannot provide guidance on proposal development or other advice that may provide a competitive advantage.

## **VIII. Proposal Evaluation Criteria**

EPA will use the following criteria to rank applications. Each proposal will be given a high, medium or low rating for each criterion. Each criterion will receive equal weight when EPA reviewers determine the overall merit of the proposal. Based on the ratings, EPA reviewers will select up to two proposals for consideration by the Agency selecting official.

1. Comprehensiveness of proposed approach to service delivery.
2. Innovations that may enhance compliance assistance services available to the local governments.
3. Demonstrated understanding of environmental compliance challenges faced by the local governments.
4. Cost effectiveness and efficiency of proposed activities.
5. Qualifications and experience of key personnel in relation to their responsibilities.
6. Previous performance history on similar projects.
7. Soundness of approach to collaborating with other organizations.
8. Soundness of approach to outreach to all segments of the construction sector.
9. Soundness of proposed revenue generating activities that may reduce the center's reliance on Federal funding.

Any disputes that arise during the selection process will be resolved in accordance with 40 CFR 330.63 and Part 31, subpart F. (See web-site at <http://www.access.gpo.gov/nara/cfr/index.html>.) Please note that EPA reserves the right to reject all proposals or applications and make no awards.

## **IX. Proposal Submission**

Interested applicants should submit three copies of the proposal to the following address by July 3, 2003.

Joseph Hall (2224A)  
Office of Compliance, OECA  
US Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

Each proposal should not exceed 30 pages and it should include all of the information requested in this solicitation with a break down of budget for each category. A team of EPA personnel will evaluate the proposals based on the criteria set forth in Section VI and identify two applications for further consideration. An authorized Agency Approval Official in OECA will select the final applicant. An EPA award official will make the final award. EPA expects to select the final cooperative agreement recipient by July 11, 2003. The project will not be funded until EPA's operating budget for 2003 receives final approval. For questions, please contact Joseph Hall by phone at (202) 564-2271, fax at (202) 564-7083 or e-mail at [hall.joseph@epa.gov](mailto:hall.joseph@epa.gov).